

NTUMUN 2021

STUDY GUIDE



SOCHUM



SOCIAL, CULTURAL AND HUMANITARIAN COMMITTEE

CHAIR INTRODUCTIONS

SRILAKSHMI CHIDAMBARAM

(HEAD CHAIR OF SOCHUM)

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Srilakshmi Chidambaram, fondly called Lucky by her friends, is an eighteen-year-old university student from the United Kingdom currently studying in the Philippines. She will be finishing her pre-medical degree and starting her MD at the Jonelta School of Medicine, UPHSD Manila a little later this year. She started MUN in 7th grade in the UK and has since participated and chaired in many conferences at both the regional and international level.

Srilakshmi is also an aviation geek, a geography nerd and extremely passionate about occupational hazards and disaster management. She enjoys reading prehistory, political theory, and Sangam literature in her free time, but nothing can make her happier than reruns of old British comedy (Monty Python, Fawlty Towers and Yes Minister are favorites) and a giant bucket of popcorn. She looks forward to meeting her delegates in SOCHUM and hopes this conference will be an amazing experience for you all.

MUHAMMED ANUGRAH UTAMA

(ASST. CHAIR OF SOCHUM)

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Muhammad Anugrah Utama, or Tama for short, is a third-year undergraduate student of International Relations at Gadjah Mada University. As a self-proclaimed researcher, Tama spends most of his time researching and writing articles about minorities and marginalized communities, particularly gender and sexual minorities. As the stereotypical introverted person, he often feels small and “marginalized”, but MUN has become a platform for him to develop his interpersonal skills. In Model United Nations, he mostly delegated and chaired the human rights-related council as he believes that “a research agenda is always for someone and for some purposes,” therefore humanizing the research agenda to move from rigid objectivism to overcome normative dilemmas in society. Other than (self-proclaimed) research and MUNs, he spends his time watching reality shows, snacking on delicious foods, and enjoys being a couch potato. However, he does expect balance between substance and diplomacy of delegates in this year’s NTUMUN. Lastly, he looks forward to ‘meeting’ you very soon. Also, feel free to send him email for questions or anything related to the committee!

NURUL HASNA

(ASST. CHAIR OF SOCHUM)

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Nurul Husna is a penultimate student from Diponegoro University in Indonesia, majoring in International Relations. She started her MUN experience in her freshman year of college. She was chosen as the Official Delegate from her university for Harvard World Model United Nations 2021. She was the staff of the academic's division in Semarang International MUN 2019 and was also the staff of the Event Organizer division in Online Distancing MUN 3.0.

Husna is glad and honored to have been given this opportunity to meet all the amazing delegates in this council. She is aware that some of you are still newcomers and hopes this conference will be the first of many for you. Thus, if this is your first time joining MUN, this will not be your last. Instead, this will be

the beginning of an exceptionally long journey that will keep serving you with numerous amazing experiences and of course, amazing individuals as well. She wishes you the best of luck and looks forward to seeing you in the conference.

NICOLE YEE

(ASST. CHAIR OF SOCHUM)

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Nicole is a Year 5 student currently studying in Anglo-Chinese School (Independent) – when she isn't preparing for her next conference, she can be found buried in a good book or scrolling through Pinterest. Delegates should feel free to ask her any questions regarding the conference (or give her cafe recommendations!) She hopes that NTUMUN 2021 will be an enjoyable experience for all delegates.

WELCOME LETTER

Dear delegates,

It is our pleasure to welcome you all to the National Technological University's 2021 edition of the Social, Humanitarian and Cultural Committee (SOCHUM)! Over the course of 3 days, this council will be discussing 2 topics: the rights of indigenous peoples and the issue of sexual and gender minorities (SGM) discrimination.

During these three days, we hope you will be able to better understand the mechanics behind and the soft skills crucial to participation in a MUN. Throughout the council sessions, you will have ample opportunity to engage with your fellow delegates, form blocs with like-minded individuals, flesh out your differences in opinions and throw your weight behind positions that further your stand. Regardless of your experience in prior conferences – be it beginner-level or veteran-level – we are confident that you

will have much to glean from our discussions on these human rights issues.

While the primary purpose of your participation in a Model United Nations conference is to further the stance of the country you represent through collaboration with your fellow delegates, we hope that your experience at NTUMUN will be more than just that: be open to learning, growing, and last but not least, friendship. The camaraderie you feel with your fellow delegates, more often than not, extends to genuine friendship outside of council. As this conference takes place remotely, you'll be able to build friendships with youths all over Southeast Asia. We hope you will seize this opportunity to spend some time getting to know your fellow delegates on a personal level, beyond a placard and a country, and forge meaningful friendships during your time here.

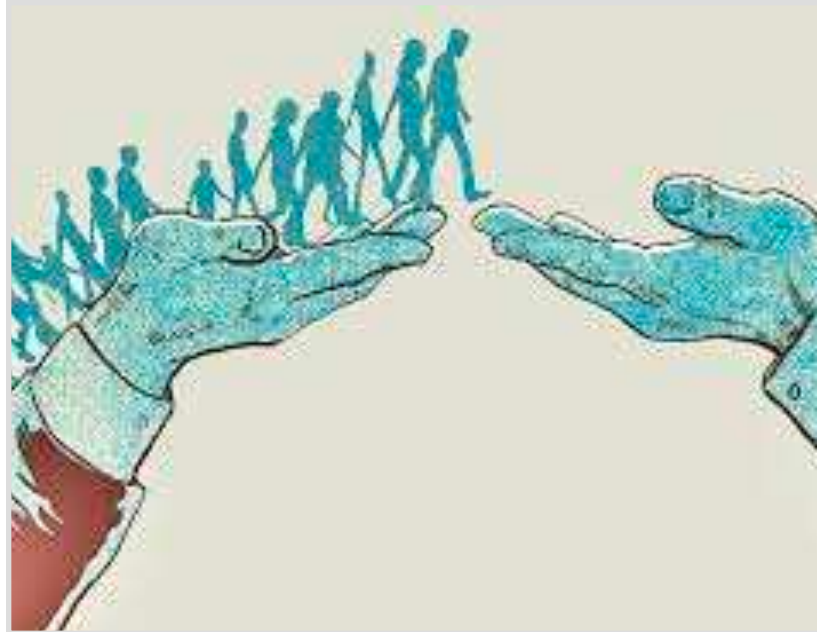
We also hope that your research & knowledge on these two topics will translate to a correction in possible subconscious biases clouding your views on these marginalized communities. The United Nations, as a global organization, has the fortune of hearing perspectives from all over the world. This will be instrumental in gaining a deeper knowledge of the issue at hand and a more rounded perspective on your treatment of these minorities, on the discrimination these minorities face, and the drastically different societal standards these minorities are held up to around the world.

Should any delegate have queries prior to the conference, we'd be happy to answer any questions, or clarify any doubts you may have. We look forward to meeting you and hope you have a wonderful journey at NTUMUN 2021!

Warmest regards,
Srilakshmi, Tama, Husna and Nicole
Dais of SOCHUM NTUMUN 2021

SOCIAL, CULTURAL AND HUMANITARIAN COMMITTEE

INTRODUCTION TO COUNCIL



The third committee of the UN General Assembly, the Social, Humanitarian and Cultural committee (or SOCHUM for short) deals with a wide variety of issues ranging from socio-cultural, humanitarian affairs and human rights issues. Like all General Assembly committees, resolutions passed by SOCHUM are not legally-binding. However, SOCHUM is mandated to study social, humanitarian and cultural issues, foster cooperation, and recommend standards to member states. SOCHUM works closely with other UN bodies, especially the UN Human Rights Council, by overseeing the works of the council and projects of subsidiary organs.

SOCHUM is allocated issues relating to a range of social, humanitarian affairs and human rights issues that affect people all over the world. An important part of the work of the Committee will focus on the examination of human rights questions, including reports of the special procedures of the Human Rights Council.

Issues that SOCHUM discusses also include those relating to the advancement of women, the protection of children, indigenous issues, treatment of refugees, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, and the right to self-determination. The Committee also addresses important social development questions, such as issues related to youth, family, aging, persons with disabilities, crime prevention, criminal justice, and international drug control.

At the seventy-fourth session of the General Assembly, the Third Committee considered 63 draft resolutions, more than half of which were submitted under a human rights agenda alone. These included 3 country-specific resolutions on human rights situations. The Third Committee is expected to consider a similar number of draft resolutions during the present session of the General Assembly.

TOPIC 1: PROTECTING THE RIGHTS OF INDIGENOUS PEOPLE

SUMMARY

The rights of indigenous peoples are too often unrecognized, marginalized, and denied. Even though the issue of indigenous peoples is very relevant to modern times, this issue can be traced back to a long history of decolonization. Although the UN has made concerted efforts to improve the status of indigenous peoples, such as the ILO Convention 107 and the promulgation of the UN Declaration on the Rights of Indigenous Peoples in 2007, indigenous people are still discriminated, oppressed, and unrecognized until this present day. Non-recognition of identity, loss of cultural identity and indigenous knowledge, dispossession, displacement, discrimination in public, as well as systemic oppression are among the few indigenous rights threatened in times of globalization and modernization. By adhering to countries' stance and conceptualization of indigenous rights, this committee will do their level best to formulate ingenious measures to protect indigenous peoples' rights.

INTRODUCTION

There are more than 370 million indigenous people spread across more than 90 countries, belonging to more than 5,000 different indigenous groups, who speak more than 4,000 languages. Indigenous people represent the 5% in the world who still preserve their culture and tradition among modernizing and globalizing society. However, they make up 15% of the extreme poor, mostly living in rural and remote areas.¹ Indigenous people are too often marginalized by society, oppressed by the state, and excluded in almost every decision-making process. Historically, indigenous people have had their ancestral land taken away and their heritage denied as new immigrants colonized, settled, and then dominated the area. Furthermore, there has been notable proof of genocide and cleansing of indigenous populations being ordered by the government, as a development project of the state. Some examples of indigenous people, notably the Inuit people in the Arctic, Torres Strait Islander and Aboriginals in Australia, Maori in New Zealand, Ainu in Japan, and the American Indians, have had their lands taken away from them by force.

In the contemporary era, indigenous people are still discriminated against and described as second-class citizens, which has been a significant factor in their high

¹ "Indigenous Peoples." Amnesty International. <https://www.amnesty.org/en/what-we-do/indigenous-peoples/> [Accessed December 26, 2020]

rates of poverty and lack of access to proper education and health. This is exacerbated by the exclusion, oppression and non-recognition of indigenous peoples by states and governments over their lands and territories. As a result of these difficulties, the United Nations has reported that indigenous culture is experiencing increasing losses in the face of globalization.² Further taking the recent COVID-19 pandemic into consideration, indigenous communities are even more vulnerable as they lack access to national health, water, and sanitation systems. These mobility restrictions, among others, have severely impacted their livelihood.³ Although issues such as biopiracy, cultural appropriation, human rights abuse, the suppression of indigenous movements and political representation are also of paramount importance in a discussion about the rights of indigenous peoples, these issues are not the focus of our topic at hand and will only be discussed because of the bigger power relations in socio-cultural settings. This year's committee will be centered around the socio-cultural aspects faced by the indigenous community in the realization of their rights, by the amplification the voices from indigenous populations themselves and the harmonization of indigenous peoples' opinions with state interests.

BACKGROUND

The issue of indigenous peoples' rights is not a novel debate — it has existed since the early years of decolonization and nation-building. As states began their decolonization efforts, they often tried to integrate and assimilate the indigenous population into their own. However, these efforts were met by resistance from the indigenous communities as these communities' lost control of their territory, resources, and their overall way of life. This issue was thrust into the international spotlight at the end of World War 1, which further prompted the League of Nations (LON) to coin the term *indigenous* in Article 22 of the LON Covenant. The term "indigenous" distinguishes between colonial power and people living under colonial domination. A more serious approach was initiated by Bolivia in 1949 to study the conditions of *aboriginal populations* outside of Europe

and the theme of colonialism. In 1957, ILO established the Convention 107, which was the first international convention to recognize the rights of indigenous people. This convention set the modern standard for policymaking with regards to indigenous rights, paving the way for ILO Convention 169, which provided greater guarantee for indigenous rights including rights on education, health, land rights, and employment.

One prominent figure in the study of indigenous people is Martinez Cobo, the Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities. His working definition of the indigenous is '*indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on*

² UN Permanent Forum on Indigenous Issues (UNPFII). "State of the World's Indigenous Peoples." (New York: UNPFII, 2010). <https://www.refworld.org/docid/4b6700ed2.html>

³ World Bank. "Indigenous Peoples." <https://www.worldbank.org/en/topic/indigenouspeoples#:~:text=There%20are%20approximately%20476%20million,percent%20of%20the%20extreme%20poor> [Accessed January 28, 2020]

*their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories.'*⁴ This seminal study discovered the intolerance in culture related to a wide range of human rights violations which include discrimination, religious freedom, education, health, and the policy of forced assimilation of indigenous people, as they are often seen as hindrances to economic development.⁵ He also coined the term "stolen generations", which refer to tens of thousands "half-caste" children of Australian Aboriginal and Torres Strait Islanders descent who were forcibly removed from their families by government agencies and forced to assimilate into the White population, under the assumption that indigenous people would eventually go extinct. This demonstrated the belief of White superiority over the black and indigenous community, a pseudoscientific belief justifying racism and/or Social Darwinism.

A more modern initiative is the establishment of the UN Working Group on Indigenous Populations (WGIP) in 1982, which serves as the first United Nations platform for indigenous peoples to share their experiences, issues, and concerns. This working group was replaced by the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) as a subsidiary body under the Human Rights Council, accompanied by the Special Rapporteur on the Right of Indigenous People (SRIP). The two systems were established to provide expertise to study and advance specific issues and to examine barriers pertaining to the protection of indigenous peoples' rights. Another initiative is the United Nations Permanent forum on Indigenous Issues

(UNPFII), which was established in 2000 as a coordinating body to discuss matters relating to concerns and rights of the world's indigenous people under ECOSOC. UNPFII holds annual meetings to report on indigenous issues to this day.

The General Assembly (GA) also adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as a non-legally binding resolution in order to delineate individual and collective rights of indigenous peoples, emphasizing the rights of Indigenous peoples to maintain and strengthen their own institutions, cultures and traditions, and to pursue their development according to their own needs and aspiration. This declaration is the most recent, visionary, and arguably, the most comprehensive declaration on indigenous issues. It outlines state responsibilities and the very minimum standards for the survival, dignity, and well-being of the indigenous peoples. However, the declaration was initially voted against by four countries and met abstention by eleven others before its eventual passing.

Ending the Second International Decade of the World's Indigenous Peoples was the 2014 World Conferences on Indigenous Peoples, a high-level plenary meeting of the General Assembly aiming to share perspective and best practices that pursues the objective of the 2007 UNDRIP. Since the adoption of UNDRIP, there has been slow but steady progress made on indigenous rights around the world, as countries previously against the rights of indigenous people have begun to recognize the declaration. The declaration is also being increasingly incorporated into

⁴ Jose R. Martinez-Cobo. Study of the Problem of Discrimination Against Indigenous Populations. (New York: United Nations, 1987).

⁵ Ibid.,

domestic law.⁶ Despite progress made in the last 10 years, indigenous peoples remain most vulnerable, and their culture is at risk of disappearing. Therefore, the acceleration of protection is needed to quicken this progress amidst the globalization and

modernization of society. Delegates must consider or even integrate these past initiatives in the future resolution, as well as other GA solutions, so that the solutions proposed will be sufficiently comprehensive.

DEFINITIONS

Indigenous / Aboriginal People/ First Nations/ Native/	<p>An umbrella term for “indigenous people.” Currently, the UN body does not assign any official definition to “indigenous.” This is because the term may carry stigma and negative implications that some do not want to be associated with. Instead, a guideline or criteria is used to establish a modern understanding of the term to identify, instead of defining indigenous people. Some of these criteria are as follows:</p> <ol style="list-style-type: none"> 1. Self-identification as indigenous people (ILO Convention No. 169); 2. Historical continuity with pre-invasion/pre-colonial societies, 3. Distinctiveness and non-dominance, 4. Determinacy to preserve, develop and transmit to future generation their ancestral territories and identity (Martinez Cobo, 1986); 5. A strong link to territories and surrounding natural resources, 6. Distinct social, economic, or legal/political systems as well as distinct language, cultural pattern, and beliefs (UNPFII).
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⁶ R. Tanoui. "UNDRIP at 10: Are We Making Progress in the Global Fight for Indigenous Rights?" Australian Institute of International Affairs. September 19, 2017. <https://www.internationalaffairs.org.au/australianoutlook/undrip-making-progress-indigenous-rights/> [Accessed January 28, 2021]

Indigenous Rights	<p>Specific indigenous rights exist in the recognition of the status specific of indigenous people. The 2007 UNDRIP also codifies and highlights several indigenous rights, which includes:</p> <ol style="list-style-type: none"> 1. Right to self-determination of individuals and peoples, 2. Rights to protect their culture and tradition through practices, languages, education, media and religion, 3. Right to own type of governance and economic development 4. Health rights, 5. Protection of marginalized subgroups e.g. elderly, women, and children, 6. Land rights ranging from ownership, reparation, and environmental issues.
Settler Colonial States	States in which past colonialism functioned through the replacement of the land's indigenous populations with an invasive settler society that, over time, developed a distinctive identity and sovereignty.
Second-Class Citizen	A term describing a social or political group deemed inferior to those of the dominant group in a society.
Expropriation	The action by the state or authority to dispossess someone of property and take the property for public use or benefit.
Self-determination	The right to freely determine political status and freely pursue economic, social, and cultural development.
Forced assimilation	A process forcing minority/marginalized communities to adopt the language, identity, culture, traditions of generally larger and majority populations in the society.

Preservation of Indigenous Knowledge, Culture, Traditions

Indigenous people have rich cultures based on a spiritual and historic relationship with their land and natural resources, as well as their collective notions of cultural values and activities. Indigenous peoples see these as instrumental functions of their group and cannot be applied to other individuals.⁷ This culture, though based on history, is not stagnant, as culture itself needs to adapt to present day-challenges. The cultures of indigenous peoples encompass language, identity, traditional knowledge, spirituality and belief, social institution, and many more, of which they consider different from the rest of larger, mainstream society. Indigenous communities have a hard time preserving their knowledge system, culture, and traditions and passing them to the next generation amidst globalizations. Many languages, cultures, traditions, religions, and indigenous knowledge are at risk of disappearing. Indigenous culture and knowledge are too often seen as irrelevant, tribal or inferior. Such indigenous peoples are often encouraged to modernize and discard their 'tribal' lifestyles, even though indigenous knowledge and tradition often promote sustainable living and environmentally friendly lifestyles.

The unyielding forces of globalization and modernization has either directly or indirectly forced indigenous peoples to assimilate through notions of 'civilization,' or 'Americanization.'⁸ Indigenous Indian peoples have been forcibly assimilated into American culture, and as a result, among the estimated 154 indigenous languages still remaining in the United States, half are spoken by only a handful of elders over 70 and are not being taught to children.⁹ In Australia, Aboriginal children were forced to assimilate into white culture and placed in abusive institutions – these children are famously known as the "Stolen Generations." Other than globalization, indigenous peoples' traditional knowledge is often patented by the private sector without recognition. This unethical practice is termed 'biopiracy', which is the violation of collective intellectual property rights of indigenous people. Commodification of indigenous culture in tourism, arts, products, and profiting off of non-indigenous people also leads to widespread misrepresentation. The value of indigenous culture tends to be derogated in such situations as these communities are not credited and compensated. It is of utmost importance to discuss how to preserve and even revive these traditions and culture by centering the perspective on indigenous people and looking upon how such culture is positioned in modern society.

Expropriation, Dispossession, and Displacement of Indigenous People

Indigenous culture and identity are attached to and built upon indigenous peoples' land. However, many indigenous people are subjected to expropriation and dispossession of lands due to industrialization and modernization by state together with Multinational Companies (MNCs) and foreign investors under the promise of a "better economy" and

⁷ UNPFII. "State of the World's Indigenous Peoples."

⁸ *Ibid.*,

⁹ E. L. Lutz. "Saving America's Endangered Languages." Cultural Survival Quarterly Magazine June 2007. <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/saving-americas-endangered-languages> [January 5, 2021]

“public utility.” One of the current examples is the Peruvian indigenous people protesting a state oil company, Petroperu, from entering and taking over their ancestral land.¹⁰ Discussion of land use tends to exclude indigenous people, even though indigenous knowledge plays an essential role in environmental protection. The scope of discussion here includes land rights, including (collective) ownership & usage, and environmental rights, especially regarding forests.

The expropriation and dispossession of indigenous peoples’ lands further cause mass, forced displacement, disruption to the local system, and destruction to cultural heritage. One notable case is the mining industry in Australia, which destroyed aboriginal caves that had existed for centuries prior. Moreover, industrialization and gentrification has pushed indigenous aboriginal communities in Australia to the edge. Expropriation and dispossession disproportionately affect these marginalized communities. Indigenous people in the Pacific are specifically vulnerable to climate change. Hunter-gatherers and herders in Africa are threatened by the dispossession of their lands. Moreover, environmental degradation, contamination due to emission and waste and deforestation are also major issues, particularly with regard to the Brazilian tribes in the Amazon Rainforest.

Self-Determination and Recognition of Indigenous Sovereignty

For centuries, since the time of their colonization, conquest or occupation, indigenous peoples have documented histories of resistance or cooperation with states. This active participation in government and politics demonstrates their conviction and determination for their distinct sovereign identities to survive.¹¹ Human rights and fundamental freedoms can only exist truly and fully when self-determination exists. Therefore, self-determination is a prerequisite of most other inalienable human rights and the entitlement of democracy.¹² In this context, self-determination itself is defined as the freedom to make political decisions independent of the state, to self-govern, and to determine their own destiny without significant interference from outside parties with vested interests. This includes land ownership and the right to govern with their own political system and economic development.

Self-determination is a right that expects nothing from the state — the state need not provide for these indigenous peoples as they would their own citizens, and in exchange, the state should not be able to oppress or exploit these indigenous peoples for their land or culture. However, this right will undoubtedly be the most controversial issue when it comes to indigenous people, especially when their demand is neither more political recognition nor special autonomy, but independence as a state. To some states, the right to self-govern for their indigenous peoples has serious implications for the state’s own sovereignty. This includes the issue of indigenous populations in West Papua, where their active resistance has become a call for independence. The call for independence has always been regarded negatively by the Indonesian government, as a

¹⁰ David Hill. "Indigenous Peruvians protest state oil company taking over their land." The Guardian. June 7, 2013. <https://www.theguardian.com/environment/andes-to-the-amazon/2013/jun/07/peruvians-protest-oil-company-land-petroperu> [Accessed January 22, 2021]

¹¹ J. B. Henriksen. "Implementation of the Right of Self-Determination of Indigenous Peoples" *Indigenous Affairs*. 3/2001. (Copenhagen: International Work Group for Indigenous Affairs, 2001), pp. 6–21.

¹² G. H. Espiell. *Right to self-determination*. (New York: United Nations, 1980).

threat to their territorial sovereignty,¹³ and as such, the Free Papua Movement is continually subject to tremendous military operations and human rights abuse.

Barriers and Lack of Resources in Education, Health Sector, and Overall Well-Being

Because of their already inferior status, indigenous peoples are often discriminated or even denied the right to their basic rights, including to “the enjoyment of the highest attainable standard of physical and mental health”, as well as the right to education in the public facility and public services because of poverty, inadequate services and infrastructure, and geographic isolation. Although indigenous people account for only 5% of the global population, they constitute about 1/3 of the world’s 900 million extremely poor people.¹⁴ The life expectancy for indigenous peoples is up to 20 years lower than the life expectancy of non-indigenous people worldwide.¹⁵ Discrimination in job opportunities and employment is a significant contributing factor to this. Vulnerable groups in these already marginalised communities, such as women and children, are doubly at risk as access to education, well-being, and other standards of development in general are increasingly unavailable to them, causing them to be disproportionately affected by low literacy rates, malnutrition, unemployment, and maternal mortality.

Too often, education systems do not respect indigenous peoples’ diverse cultures. There has been a historical lack of teachers speaking the languages of indigenous peoples. Too many primary schools often lack basic education materials, especially in the rural areas lacking infrastructure. Cultural discrimination has caused low enrollment and high dropout rates for educational institutions among indigenous peoples.¹⁶ As a result, there has been a huge education gap between indigenous peoples and the rest of the population worldwide. However, schools designed specifically for indigenous peoples may be a good consideration to solve this problem — this allows for integration with general society without forceful assimilation. In the health sector, besides the availability and accessibility of healthcare facilities, the major challenge is for government to provide health systems appropriate for indigenous peoples through the use of traditional indigenous knowledge.¹⁷ Delegates should consider a culturally sensitive approach when proposing solutions for the betterment of education, health, and overall well-being of indigenous populations.

Rights to education, health, and economic well-being are rights that should be provided by the state, if their indigenous peoples are not self-determinant. However, COVID-19 has drastically affected indigenous peoples’ access to these rights. Numerous studies show that indigenous peoples are more vulnerable to COVID-19 infections than the public. In Canada, indigenous communities in remote areas are lacking in mobility, infrastructure, and accessibility to medical care, putting them at a higher risk of

¹³ C. Webb-Gannon. (2014). “Merdeka in West Papua: Peace, Justice and Political Independence.” *Anthropologica* Vol. 56, No. 2 (2014): pp. 353-367.

¹⁴ Asian Development Bank. “Indigenous peoples/Ethnic minorities and poverty reduction.” Regional Report. (Manila: Asian Development Bank, 2002).

¹⁵ World Bank. “Indigenous Peoples.”

¹⁶ Devan M. Crawford, Jacob E. Cheadle, and Les B. Whitbeck. “Tribal vs. Public Schools: Perceived Discrimination and School Adjustment among Indigenous Children from Early to Mid-Adolescence.” *Journal of American Indian Education* Vol. 49, No. 1-2 (2010): pp. 86-106.

¹⁷ Carol Davy, Stephen Harfield, Alexa McArthur, Zachary Munn, & Alex Brown. “Access to primary health care services for Indigenous peoples: A framework synthesis.” *International Journal for Equity in Health* Vol. 15, No. 163 (2016).

COVID-19 infection.¹⁸ Food insecurity and economic wellbeing are also an issue. In the education sector, indigenous language revitalization (IRL) programs are being disrupted. Schools are being held entirely online, which may not be accessible to indigenous communities without internet access.¹⁹

Stigma and Systemic Exclusion of Indigenous Communities

Several countries have still not recognized the status of indigenous people, subjecting them to partial citizenship that hampers their freedom to express their culture and religion legally. Issues of representation of indigenous people in the political system as well as indigenous peoples' perspectives in politics are also crucial as indigenous people have been inadequately represented in politics. As a result, many countries' legal systems rarely recognize the rights of indigenous people. In some cases, some states even go as far as suppressing indigenous movements through deployment of military and the sterilization of indigenous women as part of bigger "integration" projects. China for instance, does not recognize the status of indigenous people, therefore, Tibetans and Uighurs are often labelled as "minority ethnicities." In Chile, the Mapuche people have been fighting for recognition as the country becomes the only one in Latin America to not recognize its indigenous people.²⁰ The non-recognition of indigenous people in countries' legal systems has left them vulnerable to violence and abuse, as they lack legal protection and guarantees of fundamental human rights.

Meanwhile, in almost every country, indigenous people experience discrimination and prejudice. The Sami people in Scandinavia still experience racism and discrimination due to cultural prejudice in the workplace and school, which often poses a challenge to their access to social protections.²¹ Social alienation and structural racism contribute to the worsening mental health conditions of indigenous peoples, causing higher suicide rates among indigenous populations. Indigenous peoples have been portrayed as second-class citizens, stereotyped as inferior and uncivilised, perceived as less human - simply because they are minorities in a rapidly globalizing world. Thus, they are subject to racism and discrimination in the society, workplace, school, and public services. Stigma and systemic exclusion are forms of structural violence which are unlikely to be addressed as direct violence, but instead require long-term and bottom-up solutions to challenge prejudices the general public hold.

¹⁸ Ann M. Seymour. "Canada's unequal health system may make remote Indigenous communities more vulnerable to the coronavirus." *The Conversation*. April 23, 2020. <https://theconversation.com/canadas-unequal-health-system-may-make-remote-indigenous-communities-more-vulnerable-to-the-coronavirus-134963> [Accessed January 24, 2021]

¹⁹ Onowa McIvor, Kari AB Chew, & Kahtehrón:ni Iris Stacey. Indigenous language learning impacts, challenges and opportunities in COVID-19 times. *AlterNative: An International Journal of Indigenous Peoples* Vol. 16, No. 4 (2020).

²⁰ Jane Chambers. "Chile's Mapuche indigenous group fights for rights." BBC. November 26, 2020. <https://www.bbc.com/news/world-latin-america-55042838#:~:text=The%20Mapuche%20make%20up%20about,to%20acknowledge%20its%20indigenous%20people> [Accessed January 23, 2021]

²¹ Heidi Pikkarainen & Björn Brodin. "Discrimination of the Sami – the rights of the Sami from a discrimination perspective." (Stockholm: Ombudsmannen mot etnisk diskriminering (DO), 2008). https://www2.ohchr.org/english/issues/indigenous/ExpertMechanism/3rd/docs/contributions/SwedishEqualityOmbudsman_2.pdf

United Nations Permanent Forum on Indigenous Issues (UNPFII)

Founded in July 2000, UNPFII is an advisory body that reports to the Economic and Social Council (ECOSOC) and the UN's central coordinating body to discuss matters relating to the concerns and rights of the world's indigenous peoples. UNPFII has sixteen independent experts who are appointed to three-year terms: eight members representing governments from five groupings of the United Nations and eight members representing indigenous organizations in Africa, Asia, Central and South America and the Caribbean, the Arctic, Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia, North America, and The Pacific. The UNPFII's mandate is to provide expert advice and recommendation, raise awareness and promote coordination of activities related to indigenous people within the UN system, as well as disseminate information on indigenous issues, ranging from social-economy, culture, environment, education, health, and human rights.²²

European Nations

The European nations, especially the Western Europe, have historically been the countries who have colonized the lands and cultures of indigenous peoples. Contrary to these centuries of colonization, European countries are now some of the most progressive and vocal about the issues of indigenous people. However, the grim manifestation of the historic domination, genocide, and violence against indigenous people caused by these European countries still persists. Regardless, these countries' modern-day treatment of indigenous

peoples can serve as an example to be followed by other countries. However, it is important to note that European countries do not have a large indigenous population. This is true for most regions in the continent except for the Siberia region of Russia and the Arctic and the Sami people of the Scandinavia.

Ex-Settler Colonial States

These regions are known to have received massive colonial settlement or influence, and therefore, indigenous people are easier to identify since they have been pushed to the margin and oppressed on their own land for centuries. The United States, Australia, New Zealand, and Canada were the most vocal countries refusing the UNDRIP. Historically the Indians, Inuits, Metis people, Maori, Aboriginal Australians and other indigenous people have experienced genocide and violence from their colonial governments in these states. Among the four ex-settler colonial states, the government of New Zealand is relatively more progressive on indigenous rights compared to the other three. Australia currently trails behind in the recognition and realization of indigenous rights, and a lack of representation is still rampant in many of these countries.

In Latin America, there has been progress on indigenous peoples' access to health care, education, and political recognition. Some countries have a significant indigenous population, including Bolivia, Guatemala, and Peru. However, this might not always guarantee betterment of indigenous rights protection. In other countries, the situation is no better and in most cases, it is worse. To this day, indigenous

²² "Permanent Forum." United Nations. <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2.html> [Accessed January 23, 2021]

people in the Amazons still face dispossession of lands due to mining, dam projects, deforestation and faced consequences of the lack of health facilities during the pandemic.

Asian Countries

Having mostly decolonized in the 20th century, discrimination against indigenous communities in Asian countries is now being perpetuated by the ethnic majority or central government themselves. According to Dalee Sambo Dorough, Chair of the UN Permanent Forum on Indigenous Issues in 2014 “Indigenous peoples in Asia are among the most discriminated against and are economically, socially, and politically marginalized.”²³ This is especially concerning since the vast majority (70%) of indigenous people live in Asia. Indonesia, Vietnam and Bangladesh are among the countries who have not yet recognized the concept of indigenous people. In India, indigenous people are recognized as “scheduled tribes” and in China, they are only deemed “ethnic minorities.” In these countries, recognition of

indigenous people is a vital first step before the realization of their special rights as indigenous people.

African Countries

The situation is a bit different in Africa. The Indigenous Peoples of Africa Coordinating Committee (IPACC), the main transnational network organizations representing African indigenous people, has been able to identify and distinguish the characteristics of indigenous peoples in Africa. However, state recognition of indigenous peoples has varied enormously, especially in the affirmative recognition for hunter-gatherers and herding peoples. Among indigenous peoples in Africa are the hunter-gatherer forest peoples (“pygmies”) of central Africa and nomadic agro-pastoralists such as Maasai and Samburu in East Africa, as well as the San in Southern Africa – who have been evicted from their homes in Kalahari Desert, accompanied by beatings and destruction of water sources.²⁴

QUESTIONS A RESOLUTION MUST ANSWER

1. How should countries conceptualize indigenous people?
2. Should countries advance the universal definition of indigenous peoples?
3. What measures should member states implement to help protect and preserve indigenous knowledge, culture, and tradition in times of rapid modernization and globalization?

²³ "Challenges facing indigenous peoples of Asia spotlighted as UN Forum continues 2014 session." United Nations. May 19, 2014. <https://www.un.org/development/desa/en/news/social/indigenous-peoples-of-asia.html> [Accessed January 28, 2021]

²⁴ Gumisai Mutume. "'Indigenous' people fight for inclusion." Africa Renewal. April 2007. <https://www.un.org/africarenewal/magazine/april-2007/'indigenous'-people-fight-inclusion> [Accessed January 28, 2021]

4. What can be done to eliminate stigma and discrimination of indigenous people in society?
5. How should member states promote availability and accessibility of better facilities of health and education while incorporating indigenous knowledge, taking the COVID-19 situation into consideration?
6. What measures should states implement to end the systematic exclusion and oppression of indigenous peoples?
7. How should the state resolve clashes between indigenous people and government (including in possession of land ownership and land use)?
8. What standards should be set with regard to the recognition and treatment of indigenous people?

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TOPIC 2: TREATMENT OF SEXUAL AND GENDER MINORITIES

SUMMARY

The issue of the rights of sexual and gender minorities, also known as the LGBTQ+ community, is a highly controversial one — the opinions surrounding this topic are diverse and divided, and the rights accorded to sexual and gender minorities also significantly vary among the different regions of the world. In accordance with non-discrimination as the core of the human rights principles embodied in the United Nations Charter, this committee will discuss this hotly debated issue and formulate solutions to this highly controversial topic.

INTRODUCTION

Even after the previous actions taken by the United Nations, national governments, and advocacy organizations until the present-day, almost all sexual and gender minorities (SGM) communities all around the world continue to suffer sexual-orientation-based discrimination and violence their sexual orientation on a daily basis. Homophobic attitudes still feature significantly in society, not just in conservative countries, but virtually everywhere. The United Nations identifies these violations as “killings, rape and physical attacks, torture, arbitrary detention, the denial of rights to assembly, expression and information, and discrimination in work, health and education.” Even today, same-sex relationships is illegal in more than 70 states and is punishable by death in seven states worldwide.

Non-discrimination is a core of human rights principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and other human rights treaties. Although this has been enshrined in United Nations treaties & acknowledged by the 193 Member States worldwide, discrimination against sexual and gender minorities remains prevalent.

1. History of Sexual and Gender Minorities

The discussion about the history of sexual and gender minorities cannot be separated from the documented forms of homosexuality that date back to antiquated Egyptian and Greek social orders, which prove that social demeanors towards homosexuality have consistently been controversial.²⁵ The rise of Christianity within the early of First Century spurred more prominent condemnation of homosexuality, which somewhat persisted in the centuries after.²⁶ By the 18th century homosexuality was generally frowned upon, so much so that numerous governments took liberties to prevent people from engaging in homosexual acts and deny mass media distribution of anything indicative of homosexuality. It was not until after World War II that several institutions were made for the SGM community. SGM developments amid this time took place primarily within the United States and Europe.

Greater awareness of homosexuality as the product of post-World War II globalization brought to light “political requests for reasonable treatment in mental well-health, public policy, and employment.”²⁷ The 1960s Civil Rights Movement within the US marked a turning point with the Stonewall Riots, where LGBTQ+ people stood up to police strikes in New York City. This event triggered the 1970s gay liberation movement, during which LGBTQ+ groups organized advocacy organizations and planned public demonstrations. The 1900s and 2000s generally yielded more prominent progression for LGBT individuals, but imbalance between groups based upon sexual orientation continues on to this day. The issue of LGBT rights was never mentioned by the UN until December 2008, when a Dutch/French-initiated, European Union-backed statement supporting SGM rights was displayed to the United Nations General Assembly (UN GA). That statement was sponsored by 96 UN Member States and prompted an Arab League-backed statement opposing it. None of the statements have been officially adopted by the UN GA and both are still open for signature.

During a UNHRC meeting in 2003, European countries broached the topic of the Brazilian Resolution, affirming that lesbian and gay rights ought to be considered as fundamental and inalienable rights of all human beings.

Following the footsteps of these European countries, all 34 member countries of the Organization of American States collectively endorsed a declaration of affirmation of the extension of human rights protection to sexual orientation and gender identity.

On December 15th, 2011, the UNHRC passed its first report on the human rights of LGBT individuals, depicting on how individuals around the world are killed or persecuted by hate-motivated viciousness, torment, detainment, criminalization and discrimination

²⁵ James Davidson, “Map about the boy,” The Guardian, November 10, 2007, accessed on January 31st 2021.

²⁶ “Timeline of Oppression,” The State University of New York, accessed on January 31st 2021.

²⁷ Bonnie J. Morris, “History of Lesbian, Gay, & Bisexual Social Movements,” American Psychological Association, accessed on January 31st 2021

in employment, health care, and education, because of their real or perceived sexual orientation or gender identity.

In 2014, the UN declared that the organization would expand equal benefits to its employees who have entered same-sex unions in jurisdictions where they are legal. Under this new policy, staff who are married to a same-sex partner now have the right to receive the exact same benefits and recognition as those in heterosexual marriages, despite of whether same-sex marriage is legal or illegal in their country of citizenship. UN Secretary-General Ban Ki-Moon has supported a move towards greater respect for LGBT rights over recent years.²⁸

2. Past Actions

1. Statement by the General Assembly

The UN formally recognized non-traditional sexual orientation and gender identity and declared its commitment to the protection of LGBT individuals in a statement declared by the General Assembly 18 December 2008, following a letter from the Organization of American States requesting that the General Assembly to address this topic. The General Assembly further expressed its concern towards the human rights violations of the LGBT community and its intention to discuss equality for LGBT individuals in the future.²⁹

2. Resolution 17/19: Human rights, sexual orientation, and gender identity

Resolution 17/19, adopted by the Human Rights Council in June 2011, acknowledges the injustices inflicted upon the SGM community and requests that a study be produced on the current treatment of SGM people. The resolution determined that the study would be presented in a future panel session.³⁰

3. Report 19/41: Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity

Report 19/41 begins by affirming the rights of all individuals to equality and non-discrimination. This report acknowledges that each of Member States operate under different value systems, but discrimination of and violence against SGM people is still a violation of human rights that goes against the principles of the United Nations. This report further clarifies what exactly the role of the state is in the creation of unbiased policy and the equal accordance of resources, which should be made available to all citizens regardless of sexual orientation or gender identity. The International Covenant on Civil and Political Rights, among other agreements, do not identify SGM people as a vulnerable group, but it was reflectively established that sexual orientation was the premise for discrimination

²⁸ The Atlantic. 7 July 2014. <https://www.theatlantic.com/international/archive/2014/07/united-nationsrecognizes-staffers-same-sex-marriages/374054/>. accessed on January 31st 2021

²⁹ "Letter dated 18 December 2008 from the Permanent Representatives of Argentina, Brazil, Croatia, France, Gabon, Japan, the Netherlands and Norway to the United Nations addressed to the President of the General Assembly," United Nations, A/63/635: 3-4, December 22, 2008

³⁰ "Human rights, sexual orientation and gender identity," United Nations, A/HRC/RES/17/19: 2, July 14, 2011

in many cases. Resolution 19/41 asserts that the state is responsible for protecting its people's rights to privacy and to "life, liberty and security of persons".³¹

Furthermore, the Report also addresses types of violence and discrimination, expressing particular concern for lesbian and transgender women who "are at particular risk because of gender inequality and power relations within families and wider society".³² Moreover, the nature of crimes against SGM people is such that they are especially brutal and violent. Those who survive hate-crimes encounter serious psychological damage following their traumatic experiences. The Report maintains that this psychological violence is just as serious as physical violence, and frequently the two go hand-in-hand. Those responsible for violence against SGM people come from a wide range of backgrounds, including those in positions of power.

The General Assembly discusses in-depth the role of law in the context of SGM communities. Member States are encouraged to decriminalize homosexuality and any legislation that would allow for their discrimination.

Discrimination in the working environment, health care, and education have also been inspected. These particular laws are explicit in their commitment to secure the rights of sexual and gender minorities. The Committee on Economic, Social and Cultural Rights reaffirms the expectations of equality in the work environment and prohibits "any discrimination in access to health care...on the grounds of sexual orientation and identity".³³ The social dynamics must also allow SGM individuals to seek health care without fear of persecution, not only must the legal framework of a nation make health care available to them. Health care is essential for all people in its advancement of public health. Transgender individuals would ideally have the services required to undergo gender reassignment therapy, but at this time it is not broadly accepted practice nor is it a reasonable choice for many.

Systemic discrimination occurs in education as well, regularly perpetrated by school administration and staff. Moreover, alarming is the bullying of young people who don't conform to gender norms by their peers. Attitudes within the education authorities and the more extensive community must be tolerant towards SGM people, in order to shape school policy in such a way that would protect students. Furthermore, sex education in schools should address subjects relating to homosexual and heterosexual people.

Also, the Resolution expresses its support and commitment to protect those who speak out on behalf of the SGM community, and the institutions dedicated do its advocacy. Those who engage in this movement should be free from harassment, violence, and other forms of discrimination. At last, the General Assembly affirms the obligations of the state in its legal framework. Gender recognition and approval of non-traditional genders is essential in furthering the equality of SGM people.

³¹ "Discriminatory laws and practices and acts of violence against Individuals based on their sexual orientation and gender identity: report of the United Nations High Commissioner for Human Rights," 5

³² "Discriminatory laws and practices and acts of violence against Individuals based on their sexual orientation and gender identity: report of the United Nations High Commissioner for Human Rights," 8

³³ "Discriminatory laws and practices and acts of violence against Individuals based on their sexual orientation and gender identity: report of the United Nations High Commissioner for Human Rights," 17.

Acknowledgment of non-traditional relationships is another resource, such that those in homosexual relationships can enjoy the same rights and benefits from the state as those in heterosexual relationships. This archive is the foremost comprehensive of all documents produced by the UN on SGM issues. Although it gives few clarifications of how to change and fortify legislation, it recognizes and provides in-depth examination of existing issues that must be tended to.

4. Resolution 27/32: Human rights, sexual orientation, and gender

Resolution 27/32 was passed in September 2014 as a follow-up to Resolution 17/19 and subsequent report. The Resolution requests the High Commissioner to update the report with a view to share good practices and ways to overcome violence and discrimination” to be presented at a future occasion.³⁴

C. Measures Taken by the UN

In a statement released on 18 December 2008 by the UN General Assembly, the UN officially recognized non-traditional sexual orientation and gender identity, also following a letter from the Organization of American States, they announced their commitment to the protection of SGM people.

The United Nations High Commissioner for Human Rights released this study (Report 19/41) in November 2011. It provides a detailed overview of the experiences of SGM people around the world and highlights the role played by Member States in the Security and Protection of human rights.³⁵

The United Nations is currently funding Free and Equal, a movement launched in 2013 committed to public education for SGM equality, in addition to the measures taken by the High Commissioner and the Human Rights Council. The movement is aimed at challenging SGM discrimination and “works to inform people of their human rights, identify and address human rights challenges, and assist governments in fulfilling their human rights obligations.”³⁶ By using social media, celebrities contribute to spread the awareness itself. In addition, through “documentaries and narrative films that explore the lives of lesbian, gay, bisexual, transgender and intersex people in various parts of the world,”³⁷ The Free & Equal Global Film Series promotes education on SGM topics. This set of films is a valuable tool to promote the values of the United Nations, and screenings are available at UN offices around the world.

D. Current Status

Despite most Member States’ (MS) acceptance of homosexuality at the government level, anti-SGM legislation remains. As of December 2020, there are 72 countries that criminalize SGM Communities.³⁸ Most of these nations are countries in Africa and in

³⁴ “Human rights, sexual orientation and gender identity,” United Nations, A/HRC/27/L.27/Rev. 1: 2, accessed on January 31st 2021

³⁵ UNHRC, 2015. “Annual Report: Discrimination and Violence Against Individuals based on Their Sexual Orientation and Gender Identity.” Accessed on January 31st

³⁶ United Nations. Free & Equal: <https://www.unfe.org/en/about>, accessed on January 31st 2021

³⁷ United Nations. Free & Equal Global Film Series: <https://www.unfe.org/en/global-film-series>, accessed on January 31st 2021

³⁸ Newsweek, 2019. “71 Countries Where Homosexuality is Illegal,” Accessed from <https://www.newsweek.com/73-countries-where-its-illegal-be-gay-1385974> on January 31st 2021

Asia. These particular nations enforce legislation resulting in the imprisonment of the SGM community. An important consideration is that in many nations, such as Nigeria, simply being perceived as gay warrants arrest and other forms of discrimination.

Criminalization of Homosexuality

Nowadays, 76 nations criminalize homosexual relationships with either incarceration or death. In regions of Latin America, Africa, the Middle East, and South-East Asia, this government-imposed abuse of human rights is taking place. The United Nations takes a strong position on this issue, arguing that “laws criminalizing homosexuality violate privacy rights and non-discrimination in violation of the legal obligations of States under the International Civil and Political Rights Covenant.”³⁹

The criminalization of homosexuality is problematic because it discourages the creation of a robust HIV/AIDS health care system and promotes discriminatory attitudes towards SGM people, resulting in discrimination and abuse.⁴⁰

DEFINITIONS

Sexual and Gender Minorities (SGM)	The terms of “Sexual and Gender Minority” (SGM), is actually an umbrella term that encompasses populations included in the acronym “LGBTQI” (lesbian , gay , bisexual , transgender, queer and intersex), and those whose sexual orientation or gender identity varies. It includes those who may not self-identify as LGBTQI, or those who have a specific medical condition affecting reproductive development.
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³⁹ “Fact Sheet: Criminalization,” United Nations Office of the High Commissioner, accessed on January 31st 2021

⁴⁰ *Ibid.*

Laws that affect SGM	<p>Laws that affect SGM people include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Laws concerning the recognition of same-sex relationships, including same-sex marriage, civil unions, and domestic partnerships. • Laws concerning SGM parenting, including adoption by SGM people. • Anti-discrimination laws in employment, housing, education, public accommodations. • Anti-bullying legislation to protect SGM children at school. • Hate crime laws imposing enhanced criminal penalties for prejudice-motivated violence against SGM people. • Bathroom bills affecting access to ex-segregated facilities by transgender people. • Laws related to sexual orientation and military service. • Laws concerning access to assisted reproductive technology. • Sodomy laws that penalize consensual same-sex sexual activity. These may or may not target homosexuals, males or males and females, or leave some homosexual acts legal. • Adultery laws that same-sex couple are subject to; • Age of consent laws that may impose higher ages for same-sex sexual activities. • Laws regarding donation of blood by men who have sex with men. • Laws concerning access to sex reassignment surgery and hormone replacement therapy. • Legal recognition and accommodation of reassigned gender
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1. Contributing Factors to the Problem

A. The Persecution of SGM people

The persecution towards SGM/LGBT people is carried out by either society or a government that forbids the existence of LGBT people with long-withstanding national policies, which often have provisions of punishment and criminalization of the LGBT people in that country.

Despite the fact that most of the Member States do recognize untraditional sexual orientations and gender identities, anti-LGBT legislation still remains a significant challenge. United Nations mechanisms such as the Universal Periodic Review of the Human Rights Council have been documenting such violations for close to two decades. As of December 2020, there are 72 countries that criminalize SGM or LGBT Communities all around the world. In some cases, it is written in the constitution that being LGBT is illegal. An important consideration is that, in numerous countries such as Nigeria, simply being perceived as homosexual warrants arrest and other forms of discrimination. In some countries, LGBT activism and statements favoring LGBT rights are looked down upon and heavily discouraged. Another important point to take into consideration is that transgender individuals are frequently more oppressed than gay and lesbian people. In other countries, only male homosexual relationships are illegal. In India even if same-sex relationships are legal, same-sex sexual activity is denied and punishable by law. Unlike most countries in the world, however, India has a much more liberal policy regarding transgender rights, recognizes their needs and some states even provide Sex Reassignment Surgery for free.

B. Discrimination

Discrimination at an institutional or social level remains a problem in most countries, regardless of its hostile or protective legislation of LGBT people. An example of the most prominent kind of discrimination against LGBT people is discrimination in the workplace. This kind of discrimination is of significant concern, as a 2011 survey has shown that the US transgender community experiences worse harassment compared to the gay and bisexual community in the professional environment.⁴¹ Pay, hiring, or promotion inequality as well as harassment are aspects in this discrimination.

Discrimination outside the working environment might range from denied access to public facilities and services to arbitrarily raised prices. Looking into circumstances that occur most frequently, the transgender community face a greater struggle to find affordable housing and is frequently confronted with rejections from service at restaurants, public transportation, or even medical

⁴¹ "Employment Discrimination Against LGBT Workers," The Williams Institute, University of California, accessed on January 31st 2021

attention. Many Member States have no legislation to prevent such harassment and discrimination. Even if preventive legislation exists, much of it remains ineffective, as most incidents like this occur at the individual level and discrimination is often difficult to prove.

C. Social Ostracism

The other damaging product of homophobia and transphobia is social ostracism of SGM people. This rejection, which might have happened at an early age, encompasses all aspects of a community including school, social media, and entertainment. It impacts young people's physical and psychological development. The American Foundation for Suicide Prevention found that among their respondents, 41 percent of transgender individuals have attempted to commit suicide. This vastly surpasses the 4.6 percent of the overall US population who report a lifetime suicide attempt, and is also higher than the 10-20 percent of lesbian, gay and bisexual adults who reported attempting suicide.⁴²

D. Hate Crimes

LGBT people not only face social ostracism and employment discrimination, but also suffer from physical and verbal abuse. Harassment, assault, and even grievous bodily harm all constitute hate crime against LGBT people, that occur with alarming frequency in all regions of the world.

Another important fact to note is that hate crimes against the LGBT community are grossly underreported for various reasons, including the fear of not being taken seriously or apathy from reporting an incident over and over but not seeing tangible action taken against the abusers. The UK Government expresses its commitment to preventing hate crime in its report "Challenge It, Report It, Stop It". The report states that sexual orientation-based violence accounts for the greatest percentage of hate crimes. It also outlines an approach that addresses preventive measures, increased reporting and availability of support services, and more effective management of cases.

KEY STAKEHOLDERS

a. Pro-SGM Countries

As of 2020, 30 countries in the world recognize same-sex marriage, with most of them being countries in Europe and America. These countries are as follows: Argentina, Australia, Austria, Belgium, Brazil,

Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, France, Germany, Iceland, Ireland, Israel, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Taiwan, the

⁴² American Foundation for Suicide Prevention. 2014. Suicide Attempts among Transgender and Gender Non-Conforming Adults. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-WilliamsSuicide-Report-Final.pdf>

United Kingdom, the United States and Uruguay.

b. Contra-SGM Countries

As of December 2020, there are 72 countries that criminalize SGM communities. Most of these nations are countries in Africa and in Asia. These particular nations enforce the legislation resulting in the imprisonment of the SGM community. However, not all contra SGM

countries carry out the imprisonment of SGM individuals. These countries do not fully criminalize the existence of SGM people but their continued non-recognition, systemic discrimination and persecution in society remains a problem that requires immediate oversight.

QUESTIONS A RESOLUTION MUST ANSWER

1. How can the Social and Humanitarian and Cultural Committee consider conflicting cultural norms while also protecting the rights of SGM people?
2. How can the United Nations, as an international body, address national laws that prosecutes and criminalizes sexual and gender minorities without violating each country's sovereignty?
3. What kind of international framework that could be used to restrict the existence of national law that violates human rights?
4. How can the council challenge existing attitudes from the government that discourage SGM's existence?
5. How can the council challenge the existing attitudes from the society that discourage SGM's existence (examples: discrimination, social ostracism, and hate speech)?
6. What legislation has your country passed to protect SGM rights, and why or why not was it successful?

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